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Fifteenth session

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Held at Headquarters, New York,
on Wednesday, 31 January 1996, at 3.15 p.m.

Chairperson: Ms. CORTI

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The meeting was called to order at 3.20 p.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Report of Rwanda submitted on an exceptional basis

1. At the invitation of the Chairperson, Ms. Mukarugomwa (Rwanda) took a place at the Committee table.

2. Ms. MUKARUGOMWA (Rwanda), reporting orally on the situation in her country, said that the women of her country drew encouragement from the exceptional treatment the Committee had given their situation and were grateful for its support. When civil war broke out in October 1990, Rwanda had been well on the way towards eliminating discrimination and had adopted a strategy for improving the status of women. Since then Rwanda had lived through traumatic times.

3. Between April and July 1994, an estimated 1 million Rwandans - one seventh of the entire population - had been massacred. The scale of the genocide had been quite unprecedented. People were still struggling to understand how such mass violations of human rights could have recurred and to determine whether poor leadership or a culture of impunity had contributed to the tragedy. The new Government faced a monumental challenge: replacing the general climate of non-observance of human rights with a new emphasis on respect for the rights of all individuals.

4. Without reconciliation there could be no peace. The process of national reconciliation was viewed in terms of the rebirth of the nation, a nation where every citizen would enjoy the same basic rights and protections. Furthermore, people believed it was their duty to preserve the memory of the victims of genocide. To deny genocide would be to give it an opportunity to recur.

5. The genocide was unique in that it had been planned and executed by the entire government machinery, including the army and local government officials. A large percentage of the adult population had been forced to participate.

6. On the social level, survivors required immediate assistance in meeting the basic necessities of life, such as food and clothing; preferential access to social services, such as housing and medical care; and strengthened psychological rehabilitation services. Repatriated citizens required immediate assistance in terms of food and shelter, restoration of basic social infrastructure (water supply, health care and education) in addition to the means to achieve economic self-sufficiency. The Government had reaffirmed its desire to see all refugees repatriated and reintegrated into society and was establishing structures to receive them. The entire educational system had to be rebuilt.

7. On the political level, the major consequences of the genocide included insecurity caused by the support some Governments were giving to the defeated army. By continuing to shelter, train, equip and support the military officers and politicians responsible for the killing, they were, in effect, ignoring the

Convention on the Prevention and Punishment of the Crime of Genocide. Other consequences included persisting hostility on the part of certain members of the international community, complete destruction of government structures and other institutions and a general climate of suspicion and mistrust. To address those problems, the Government had adopted a strategy to strengthen State institutions in order to guarantee safety and respect for the rule of law and to foster international support.

8. The economy was now dominated by humanitarian assistance, since all means of production had been systematically destroyed; the bulk of both the regular budget and the development budget was being used to deal with the problems resulting from the killings and there were many difficulties in respect of property rights. The overall economic objective was to restore and revitalize the infrastructure in order to provide the means for sustainable economic development.

9. Many solutions had been proposed to deal with the immense social problems facing the people, and a national commission on genocide, composed of representatives of survivors had been established. The needs of the survivors were many; they included justice, rehabilitation (in terms of renewal of values as well as physical and psychological rehabilitation), compensation and keeping alive the memory of the victims. With regard to the latter, it had been suggested that a national memorial be constructed and also monuments to the victims at some of the massacre sites; in addition a full documentation of the events had been called for.

10. Over 1 million people had been killed, 2 million had sought refuge outside the country and 3 million had been displaced within the country. The country's social fabric and basic infrastructure had been destroyed. The tragic events had affected the situation of women in every major area - health, education, participation in political life and decision-making, legal status and economic participation.

11. Currently, the health of women in Rwanda was extremely vulnerable due to lack of medical infrastructure, supplies and personnel, limited financial resources, lack of access to health care, malnutrition, unsafe drinking-water, and the spread of HIV/AIDS. Women were more susceptible to diseases than men because they were overworked, had unplanned pregnancies, were malnourished during pregnancy and suffered complications from childbirth. They were also more vulnerable than men to HIV/AIDS. In addition to those traditional problem areas, violence against women had affected both their physical and psychological well-being. Many women and girls had seen their entire families killed and had themselves been left for dead. Others had been victims of rape used as a weapon of war; their situation was exacerbated by the shame and revulsion with which rape was regarded in Rwandan society, which prevented many victims from coming forward even if they needed help. Many women were suffering from depression and anxiety as a result of their experiences.

12. According to the figures for 1992, 49 per cent of the population was illiterate; women accounted for 67 per cent of the illiterate. In general, women were disadvantaged in the educational system, and since the tragic events of 1994 the situation had become even worse. At the primary level, enrolment of

boys and girls was almost equal, but at the secondary and higher levels the proportion of girls dropped significantly. Moreover, girls were steered towards courses in home economics and social services which did not lead to well-paid jobs. Even at advanced levels, custom and tradition prevented women from benefiting equally from available educational opportunities.

13. Although the Constitution explicitly stated the principle of equality of men and women before the law, women remained outside the decision-making process. The major obstacle to their greater participation was prejudice concerning their ability, which was reinforced by their low educational level. Lack of political will, poverty, absence of specific mechanisms for change, and lack of access to information and the communications media combined to create a vicious circle making any change very difficult.

14. While the Constitution recognized their equal rights, the Family Code and other laws discriminated against women, particularly in the areas of parental authority and ownership of property. The massacres had revealed the inadequacy of the existing legislation: a woman had no right to inherit her husband's property, yet 500,000 women had been widowed. Women accounted for 70 per cent of the population, as compared with 51 per cent in April 1994, and 70 per cent of households were currently headed by women. A far-reaching reform of the laws regarding inheritance rights and marital property regimes was under way. Rwandan women were the pillars of the country's economy, yet they could not benefit equally from the fruits of their labour, since custom did not recognize their right to own property. A widow could manage her late husband's property in trust for her children, but had to refer major decisions to either her grown children or her in-laws.

15. The Government had established strategic objectives to meet the challenges it faced in the areas of national reconciliation and restoration of the economy. In the specific area of the advancement of women, the emphasis would be placed on reinforcing women's economic power, power-sharing between men and women, improving access to social services, raising their legal status through reform of the civil codes, reinforcing their role in the culture of peace, supporting women in particularly difficult circumstances and promoting and protecting the girl child. Priority activities, such as revision of the civil code, particularly regarding inheritance rights and marital property schemes, development of grass-roots women's organizations and provision of medical treatment and counselling for women victims of violence, were already under way. The international community had pledged $627 million for rehabilitation and reconstruction through UNDP. Thus far, however, only 16 per cent of that assistance had been received.

16. In conclusion, her Government was hoping that the members of the Committee could help by urging the international community to ensure that all human rights of all the Rwandan people were protected.

17. The CHAIRPERSON said she had been deeply moved by the Rwandan representative's presentation. Members of the Committee would urge their Governments to provide all possible practical assistance. She wondered what had caused Rwanda's ethnic groups to take up arms against one another after coexisting peacefully for many years.

18. She wondered whether the policy of national reconciliation was compatible with building memorials to the victims of the genocide. While the desire to punish the guilty was understandable, she wondered whether it was possible to identify those who had participated in the massacres. She asked whether both ethnic groups were represented in the new Government.

19. The problems of Rwanda's women had been apparent in the report submitted before the outbreak of war, and they had suffered terribly during the conflict. The systematic rape of thousands of women had been particularly distressing. It was regrettable that traditional attitudes prevented women from coming forward as victims. The Rwandan representative's remarks on the goals of her Government's women's policy seemed optimistic, given the economic situation and the destruction caused by the war; she wondered whether there was sufficient political will to empower women to overcome their traditional position of inferiority and to bring Rwanda's laws into line with the Convention.

20. Ms. HARTONO commended the Rwandan representative for her frank and moving report. The conflict in Rwanda had been caused by both internal and external forces. Within the country, the various ethnic groups had proved all too ready to resort to arms. Traditional values which upheld violence as a response to differences must be rethought. Rwanda's problems had been exacerbated first by colonization and then by the flow of arms from beyond its borders. The situation of Rwandan women could not be separated from those issues.

21. Rwanda must now build a culture of human rights and respect for the law, for only when mentalities changed would reform in other fields be possible. The experience of her own country, Indonesia, had shown that women had an important role to play in that process: as mothers, they could teach their children the value of respect for others; as leaders, they could work for change through non-governmental and women's organizations. She inquired how many female graduates, women's groups and non-governmental organizations there were.

22. While recognizing the importance of commemorating those who had died in massacres, she said that building monuments should not be a priority; Indonesia had waited 40 years before commemorating the victims of its own political unrest.

23. Ms. ABAKA said it was clear from the Rwandan representative's presentation that the genocide in Rwanda had not been spontaneous, conflict between the ethnic groups having been observed as early as the 1960s. All Rwanda's efforts should now be geared to reconciliation. The task of restoring trust among the Rwandan peoples was an achievable one, since they had lived in harmony before colonization. Rwanda and the international community must demand an end to the arming and training of militias both within Rwanda and in the refugee camps, often with the complicity of foreign Powers. The Rwandan Government must cooperate with the international community, including the Organization of African Unity (OAU), during the reconstruction process. While the proposal might appear unusual, she urged the Government to appeal for international assistance with the building of new prisons in order to house the large number of persons awaiting trial, many of whom were children, in more humane conditions.

24. Ms. BERNARD said that the Rwandan authorities faced the huge task of rebuilding their country from scratch. The health sector was in ruins and the education system destroyed. She understood that, against that background, the advancement of women was not a priority. While the low participation by girls in education and the high rate of unemployment among women were causes for concern, the Committee must temper its criticisms.

25. Rwanda's women had been hampered in the past by poverty and traditional attitudes. They were unable to own land or gain access to credit. The war had exacerbated their difficulties. While the political will existed to improve the situation of women, the goal of equality would not be achieved in the short term. The Government must first rebuild the infrastructure and achieve a lasting peace. Only then would the country reach the level of economic development necessary to enable women to find their niche in society. The horrors the Rwandan people had suffered must never be repeated and she urged the States responsible, which included some major Powers, to stop training and arming guerillas.

26. Ms. SATO said she would welcome more information on what measures were being taken to encourage refugees to return, and how soon they might do so. National reconciliation was essential.

27. Ms. KHAN noted that although women had not been a part of the decision-making process before the war, they had played a role in the massacre, carrying out the orders given to them without question. Since the State machinery and institutions had been responsible for the massacre, she wondered whether strengthening them would contribute to an improvement in the situation, unless radical changes were made. The need for education had also been highlighted, but educated people had also taken part in the genocide; accordingly, the content of educational material should be examined. It had been reported that some of the women and prominent people who had taken part in the massacres still held high government offices. She sought clarification on that, and on whether those who had participated in the violence were being brought to trial.

28. It would be worth looking into the question of how the Convention and other conventions which had been ratified by the Rwandan Government could contribute, if at all, to the reconciliation process.

29. Ms. SHALEV said that it was important to provide a medical programme to assist the victims of violence. The massacres had resulted not only in a breakdown of trust between the two communities, but also in the relations between men and women, the fundamental relationship on which societies were based. Women, who now greatly outnumbered men, were raising the future generation, and she wondered what attitudes they were conveying to their children regarding trust in men and attitudes towards them. The emotional well-being of women was the key to the emotional well-being of their children. In the October 1995 progress report of the Secretary-General on the United Nations Assistance Mission for Rwanda, it had been mentioned that the Field Operation for Rwanda had as its main concern the re-establishment of the judicial system and the improvement of prison conditions. In 1994, the Special Rapporteur on Violence had recommended that special efforts be made to prosecute war crimes committed against women, and she wondered whether that was being done. She

believed such an effort would help to restore confidence between men and women of all ethnic groups.

30. Ms. AOUIJ said that priority should be given to internal security, in order to enable the Rwandese to live together in peace and confidence. Many children had either lost or been separated from their parents. It was essential that they should be reunited. She hoped that women's non-governmental organizations would be able to assist in that respect, and would like to know which ones were at present providing assistance to Rwanda. National reconciliation was a most important process, in which women could play an important role. She hoped that peace and stability would soon return to Rwanda and that promised international assistance would be forthcoming.

31. Ms. ESTRADA CASTILLO said that both economic and moral rehabilitation would be necessary for the reconstruction of Rwanda. That could be achieved through the establishment of a clear sense of identity based on respect for every individual and for human rights.

32. Ms. BARE said she had been disturbed to hear of the inability of women to obtain redress for rape. She would welcome more information on the status of the Department for the Advancement of Women, and whether it was in a position to influence other government departments. She also wondered how local women's organizations could be developed in order to contribute to a solution to the problem. She asked for more information on the appointment of government officials, how gender-sensitive such appointments were, and whether educational programmes promoted peace.

33. Ms. JAVATE DE DIOS said that the role of women in the genocide had been very disturbing. There could be no peace without reconciliation and no reconciliation without justice. It was also disturbing that arms trafficking continued, for which the States involved should be held accountable.

34. Ms. BUSTELO GARCIA DEL REAL said that since women did not have equal rights it was difficult to make an appropriate response. The Committee could recommend to the Government of Rwanda that it should respect its commitment to all articles of the Convention. The Committee could also consider recommending to the General Assembly that all United Nations bodies should give priority to the needs and empowerment of women in their programmes of assistance to Rwanda.

35. Ms. CARTWRIGHT said that she supported and applauded the emphasis on the search for national reconciliation, justice and the rule of law. However, justice was not the same as revenge; true justice required courage and tolerance. She shared the concern of other members of the Committee at the reports of women's involvement in the carnage, but recommended that women should be used in the reconciliation process for their mediation skills. She was pleased to hear that the Government intended to redraft the Family Code, and hoped that women would be involved in that process.

36. The CHAIRPERSON said that she hoped that the Rwandese delegation would be encouraged both by the Committee's expression of solidarity and by the practical ideas offered by members to facilitate national reconciliation in that ravaged land.

37. Ms. MUKARUGOMWA (Rwanda) said that the root cause of the problem in Rwanda was not ethnicity but poor governance. Those who had sought to fan the flames of hatred and to exterminate all Rwandese who did not share their ideology had merely used ethnicity as a pretext. Over the years the Hutu and Tutsi tribes had intermarried to such an extent that tribal affiliation had become meaningless. She herself had been born of a Hutu father and a Tutsi mother and had lost her husband and most of her family in the genocide.

38. With regard to the ethnic composition of the new Government, the latter was not based on ethnicity but represented a Government of national unity drawn from all the parties which had signed the Arusha Peace Agreement of 4 August 1993 and were willing to respect the democratic process.

39. On the question of whether the political will existed to bring women into the process of national reconciliation as full partners, she was confident that that was the new Government's intention. For their part, women were ready to assume their responsibilities as the majority population in Rwanda. Indeed, in order to survive they had been forced to take initiatives on their own. In that connection, the large number of non-governmental organizations present in Rwanda had been of tremendous assistance, both to those who had remained in the country and to those who had sought refuge abroad and had returned after the conflict. For its part, the role of the Department for the Advancement of Women was to channel governmental action on behalf of women and to contribute to the elaboration of global strategies for the promotion of women and the enhancement of their role in development.

40. With respect to women's ownership of property, the Government had requested her Department to initiate a programme of legal reform aimed at protecting the property rights of women and children.

41. As for the punishment of those guilty of genocide, regrettably, women were included in that number. Over a thousand women, some of them pregnant, were currently in prison awaiting trial. Many of them had been senior government officials who had helped to plan the genocide.

42. Rebuilding a culture of peace would be a long and arduous task, since it was necessary to first eradicate the new culture of violence and hate. Nevertheless, reconciliation was possible because the people, who were united by many things, including a common language and a common religion, were tired of conflict.

43. Construction of a national monument to perpetuate the collective memory of the genocide was not a national priority, given the more urgent needs in such essential areas as food and housing.

44. Some attempt was being made to put an end to the existing discrimination against women in the area of education. Women were represented in the cabinet, in parliament and in ministries, and the Government was increasingly seeking to put them into positions of responsibility. Much remained to be done, however, and the statistics of educational attainment were still very unfavourable to women.

45. As for the role of foreigners in the genocide and succeeding events, Rwanda could only ask for the assistance of the international community in moderating the behaviour of those foreigners who persisted in providing succour to destructive forces.

46. With respect to prison overcrowding in Rwanda, it was true that the prisons had not been designed to accommodate such large numbers of prisoners. The current circumstances were exceptional; rather than building more prisons, it would be better if the international community could help to expedite the trial of the detainees so that those who were found to be innocent could be released.

47. On the subject of the return of refugees from neighbouring countries, the Rwandese Government could not promise impunity for those who had committed crimes. They must be brought to trial and accept their fate. She deplored the fact that innocent persons were being held hostage in the refugee camps by the authors of the genocide. Many refugees had returned to Rwanda, and reception procedures had been streamlined. Administrative structures to facilitate their resettlement were in place even at the local level. The most effective inducement to return, however, would be the restoration of a climate of peace and security.

48. With regard to the suggestion that the new Government should use the occasion of legislative reform to ensure greater compliance with the provisions of the Convention, she noted that efforts were under way to harmonize national legislation, including the Family Code and the Civil Code, with the Convention.

49. She was grateful for the Committee's solidarity with the women of Rwanda, and would do everything in her power to ensure that there was no further break in the contact and cooperation between Rwanda and the Committee and that the resources provided were put to their intended use and properly accounted for.

50. Ms. Mukarugomwa (Rwanda) withdrew.

The meeting rose at 6.10 p.m.